

CITY OF NEWARK

Delaware

REQUEST FOR PROPOSAL (RFP) NO. 14-01R
LOBBYING AND INTERGOVERNMENTAL CONSULTANT SERVICES

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NOTICE

The City of Newark, Delaware will accept proposals for RFP No. 14-01R, Lobbying and Intergovernmental Consultant Services. Proposals will be received in the Purchasing Office, Newark Municipal Building, 220 South Main Street, Newark, Delaware 19711 until 2 p.m. on Tuesday, January 20, 2015 and will be publicly read aloud at that time in the Council Chamber of the Newark Municipal Building.

A letter or email of interest with RFP No. 14-01R in the subject line must be submitted by January 5, 2015 to Cenise Wright, Purchasing Administrator, 220 South Main Street, Newark, DE 19711 or cwright@newark.de.us in order to ensure that you receive all Addenda and clarifying information.

Requests for information or clarification must be made in writing with RFP No. 14-01R in the subject line by January 9, 2015 to Cenise Wright at the street or email address above.

Copies of the RFP may be obtained in the City Manager's Office on the second floor of the Newark Municipal Building or on the City of Newark's website at www.cityofnewarkde.us.

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REQUEST FOR PROPOSAL (RFP) NO. 14-01R
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I. BACKGROUND AND PURPOSE OF REQUEST FOR PROPOSALS

The City of Newark is the third largest City in the State of Delaware and is home to the University of Delaware which is currently its largest employer. Newark boasts an award winning and thriving downtown, an active economic climate with consistently strong development activity and an abundance of highly rated recreation and parks programs and facilities in addition to a 380 million gallon reservoir, commissioned in 2006 and claim to being the only water storage facility of its kind to be built in over 70 years within the State. Likewise Newark operates both a water and electric utility for its service territories and staffs an Alderman's Court operation. Newark remains a Home Rule City which operates under the City Manager form of government and a non-partisan elected Mayor and Council of seven.

By this Request for Proposals ("RFP"), the City of Newark (the "City") is seeking proposals from experienced individuals to provide lobbying services including, but not limited to, representation, information, professional advice, and support services.

For general information about the City of Newark, the Mayor and Council, and other City departments and agencies, please visit the City's web site at www.cityofnewarkde.us.

SCOPE OF WORK AND TECHNICAL REQUIREMENTS

II. SCOPE OF WORK

The successful proposer will, in accordance with the highest legal, ethical and professional standards, provide at the direction of Council via the City Manager, lobbying services to the City of Newark concerning matters before the General Assembly that materially affect the governance of the City of Newark.

Submit for consideration a listing of your current clients for review, along with a summary of your qualifications including:

1. Your history.
2. List of municipalities and other government entities that you currently or previously have served, as well as samples of initiatives.
3. List of campaign contributions to ensure no conflict of interest.
4. Describe how you being the lobbyist for the City of Newark will be of benefit to its citizens, government, and overall well-being. Include why you feel it will provide opportunity (if any) for you as well.

Lobbyist services include but are not limited to the following:

1. Personal and written contact with all state legislators pertaining to initiatives agreed upon between the chosen lobbyist and the City of Newark.
2. Attendance at public hearings concerning issues pertinent to Newark initiatives.
3. Attendance as requested by Council via the City Manager at select Newark Council meetings, boards, and other committees that do not conflict with legislative sessions.
4. Verbal and other communication with Newark Council members as requested by Council via the City Manager.
5. Assistance in strategy formulation as conveyed from Council via the City Manager concerning path forward legislative initiatives of the City of Newark.
6. Attendance and oral and written representations before state legislative committees concerning issues pertinent to Newark initiatives.
7. Attendance and oral and written representations before the Executive branch or designees when approved by the Council via the City Manager.
8. Nonpartisan attendance at legislative political functions and fundraisers subject to the chosen lobbyist budget constraints.
9. Serving, with prior approval of Newark City Council via the City Manager on appropriate state boards and commissions and attendance at Newark committees that interface with Newark's legislative agenda.

Reports and presentations:

The chosen lobbyist agrees to provide the following to and for the City of Newark:

1. Regular and written verbal reports in a timely manner on all legislative matters pertinent to agreed-upon legislative agenda items. This will be provided, at a minimum, on a monthly basis especially when the legislature is in session.
2. Written and verbal reports before all regular and special meetings of Newark Council or at any other time requested by the Council via the City Manager.
3. Written and verbal planning and research projects to Newark when requested by Council via the City Manager in compliance with the State Freedom of Information Act.

Ethics statement:

1. Will not engage in any activities or conduct on behalf of the City of Newark that constitutes a conflict of interest regarding the government services offered by any competing government jurisdiction, agency, or firm; or otherwise is not in the best interest of the City of Newark and the quality of life of its citizens, or its approved comprehensive plan. The conduct of the chosen lobbyist on behalf of Newark will avoid any appearance of impropriety.
2. The governing ethics, rules, regulations, and procedures of the Delaware Public Integrity Commission will be adhered to and govern all actions by the chosen lobbyist on behalf of Newark.

This list of Services is intended as a general guide, and is not intended to be a complete list of all work necessary to provide the requested Services. The successful proposer shall have a demonstrated knowledge and expertise to serve the unique needs of the City of Newark.

- B.** The contract for the Services shall commence on or about February 1, 2015, and end on or about January 1, 2018. The method of payment to the successful proposer shall be by twelve month retainer at the start of each engagement term.
- C.** The successful proposer shall be required to:
 - 1. Furnish all materials, equipment, supplies, supervision, transportation and parking, technology, and other facilities;
 - 2. Provide and perform all necessary labor;
 - 3. Execute and complete all specified work with due diligence, in accordance with best professional practice and the requirements, stipulations, provisions, and conditions of this RFP and the resultant agreement;
 - 4. Obtain any and all required licenses, permits, certificates of registration, or other approvals necessary or required by law or necessary to provide the Services; and,
 - 5. Comply with all applicable laws, rules, regulations, ordinances, and policies of the State of Delaware and any rules of the Delaware General Assembly.

III. REQUEST FOR PROPOSAL REQUIREMENTS

A. Requests for Information/Addenda

Any requests for clarification or additional information regarding this RFP may be submitted in writing by no later than January 9, 2015 to:

Cenise Wright, Purchasing Administrator
220 South Main Street
Newark, Delaware, 19711
Email: cwright@newark.de.us
302-366-7022

Any responses to questions and requests for clarification from the City will be made in writing, without identification of the proposer making the request. **The City's responses shall be transmitted to all proposers who provide a letter of interest to the address above by January 5, 2015.** This requirement is only necessary if

you are interested in ensuring you are aware of any addenda or answers to questions posed by any proposers. The due date for proposals is January 20, 2015 (see below for more detail on submission).

If it becomes necessary to revise any part of this RFP, an addendum will be issued by the City.

B. Proposal Changes or Withdrawal

Any proposal may be withdrawn, modified, and resubmitted prior to the scheduled time for opening by a written request, signed in the same manner and by the same person who signed the proposal.

C. Proposal Disposition/Proposal Open Record

All proposals and the materials attached thereto submitted in response to this RFP, except for any identified proprietary material, shall become the property of the City upon delivery to the City. The City reserves the right in its sole discretion to use without limitation, any and all information, concepts, and data contained therein. Any portions of the proposal that the proposer deems confidential shall be clearly marked as such.

D. Compliance With Terms and Conditions of RFP

The successful proposer shall comply with all of the specifications, terms, and conditions of this RFP, as outlined herein. Proposers are further required to complete all information requested in this RFP.

E. Rejection of Proposals

The City reserves the right, at its sole discretion, to reject any and all proposals received and to waive informalities and minor irregularities, technical defects, or clerical errors in a proposal received, to accept any portion or all items in the proposal, and award the contract in whole or in part if it is deemed in the City's best interests.

F. Award of Contract

Any contract awarded under this RFP shall be made to the proposer who in the sole judgment of the City is best able to provide the full range of the Services. All proposals shall remain firm for one hundred twenty (120) calendar days after the opening of proposals.

G. Proposal Content Contractual

All or parts of the selected proposal may become part of the contract if an award of contract is made at the sole determination of the City.

H. Cancellation of RFP

The City of Newark reserves the right, at its sole discretion, to cancel this RFP in whole or in part.

I. RFP and Contract Requirements

Proposers may be required to participate in an interview(s) upon request and the successful proposer will be required to execute a contract with the City.

IV. PROPOSAL FORMAT AND REQUIRED CONTENT

The submission requirements for this RFP are described below. Any proposal that does not comply with these instructions may be deemed to be non-responsive and may be rejected by the City. Proposals must include all of the following components outlined below.

Proposals shall include the following components:

- | | |
|-----------|--|
| Part I. | Proposer Qualifications and Expertise |
| Part II. | Engagement Approach/Proposer Resources |
| Part III. | Proposed rate of compensation |
| Part IV. | Appendices |

Requirements and directions for preparation of each section are outlined below.

Part I: Proposer Qualifications & Expertise

The City requires that the successful proposer have recent experience in providing legislative and intergovernmental services, or other related experience, before the legislative and executive branches of the State of Delaware for at least five years.

1. Describe the nature and scope of the proposer's experience in providing the Services described herein in Section II SCOPE OF WORK.
2. Provide the following information about the proposer:

- a. Name and business address of the entity or individual that will be the party to the proposed contract and the proposer's business telephone number, FAX number, and e-mail address.
- b. Number of years that proposer has served as a lobbyist (please include former firm names and year established, if applicable).
- c. Type of ownership (sole proprietorship, partnership, corporation, joint venture, or limited liability company—list state in which incorporated) and parent company, if any.
- d. Disclose whether the proposing entity, or any shareholder, member, partner, or officer or employee thereof, is presently a party to any pending litigation or has received notice of any threatened litigation or claim; provided, however, that proposer need not disclose minor traffic matters.
- e. Proposals shall be signed by a person with actual authority to bind the proposer. If it is made by a partnership, it shall be signed with the partnership name and by a general partner and the full name and address of the general partner shall be given. If it is made by a joint venture or limited liability company, it shall be signed with the full name and address of each member thereof.
- f. Explanation of any exceptions to this RFP requested by the proposer. If exceptions are requested, cite the activity involved, the exception taken, and alternate language. If no exceptions are requested, please state so.
- g. Provide a copy of proposer's current client list and a discussion of current or former clients represented by the proposer whose interests may either coincide or conflict with the interests of the City. All proposers are advised that the City intends that any and all legislative agenda, priorities, actions, and needs of the City shall take precedence over any other obligations (contractual or otherwise, direct or indirect) of the proposer. The City expects that the successful proposer shall refrain from undertaking any representation of other parties concerning any Legislative Matter whose interests are adverse to the interests of the City. The City reserves the right to determine in its sole discretion the existence of a conflict of interest or a potential conflict of interest.
- h. Provide a list of campaign contributions to ensure a conflict of interest does not exist.

3. Areas of Expertise

- a. State, in detail, the proposer's specific experience and role in the subject areas listed below and provide examples of similar work performed for other clients. If the proposer has developed specialized expertise in any area or issue, please describe the scope and extent of that experience.

Outline your specific experience in the following areas:

1. Home Rule authority;
2. Payment in Lieu of Taxes (PILOT);
3. Transportation initiatives;
4. State budget/appropriations;
5. Charter Changes;
6. Public Hearing participation;
7. Land Use/Zoning;
8. Public Safety;
9. Water Resources;
10. Environmental Initiatives;
11. Education/School District;
12. Work Force/Economic Development;
13. Election Law;
14. Legislative relationships/familiarity;
15. Introduction of Legislation;
16. Outreach and Research

- b. Descriptions and references for other groups that the proposer has provided services similar to those requested in this RFP. The City reserves the right to contact proposers' references, including any references not provided by the proposers.

Part II: Engagement Approach/Proposer Resources

1. The proposal shall contain a description of how the proposer intends to provide the Services, including, but not limited to, in relation to the requested services, its method or approach to client relations, solving problems, coordinating and disseminating information, coordinating input from Newark where necessary, and advocacy. The proposal shall also describe the manner in which proposer will create and strengthen relationships between City personnel and legislators and legislative staff.

2. Describe the resources you will bring to this project. Include:
 - a. A description of strategic relationships with other organizations (e.g., Delaware Municipal League of Local Governments, State Legislator's, etc.); A description of specific relationships with state elected officials demonstrating bipartisan; and,
 - b. Other special, relevant resources.

Part III: Proposed Rate of Compensation

The proposer shall provide a proposed budget, **marked as "Appendix A"**, detailing a comprehensive fee proposal that designates the total flat rate of compensation for a twelve month term that includes compensation for any and all reasonable out-of-pocket costs and expenses, including but not limited to copying, messenger services, telephone and cell phone charges, postage, food, parking, and mileage expenses. It is expressly understood and agreed that the obligation of the City to make payments to the successful proposer shall only extend to monies appropriated annually by the City of Newark Mayor and Council and encumbered for the purposes of this Agreement.

V. SELECTION/EVALUATION

A. Criteria

Maximum Score	Criteria
45% or points	Proposer Qualifications and Expertise
45% or points	Engagement Approach/Proposer Resources
10% or points	Proposed rate of compensation

B. Evaluation Process

1. All proposals received by the deadline will be reviewed for responsiveness to the requirements of this RFP. Proposals deemed to be non-responsive shall be rejected.
2. A selection committee (the "Selection Committee") designated by the City Manager, and to include a maximum of three (3) Council members as appointed by Mayor and Council, will evaluate all proposals found to be responsive to the requirements of this RFP. Each accepted proposal shall be evaluated and ranked by each member of the Selection Committee using the Evaluation Criteria listed in subparagraph V(A) above.

3. The City will conduct reference checks for the finalists. After completion of an interview, the Selection Committee will rank the finalists based on the Evaluation Criteria.
4. The City shall not be required to accept the lowest proposal in terms of cost, but instead shall have the right to select the most qualified proposer based on all of the evaluation criteria established.
5. The Selection Committee will provide a recommendation for the fulfillment of this RFP to the Mayor and Council including detail of the process including ranking and engagement fee.

VI. SUBMISSION INSTRUCTIONS

A. Designated Location

All proposals shall be submitted through certified mail or hand delivery **by 2:00 p.m. on Tuesday, January 20, 2015** to the following location:

City of Newark, Delaware

City Manager's Office

Attn: Cenise Wright, Purchasing Administrator

220 South Main Street

Newark, DE 19711

E-mailed proposals will be accepted provided they are a complete document and properly identified in subject line by RFP No. 14-01R and received in advance to the 2:00 p.m. deadline on January 20, 2015 to the email address of cwright@newark.de.us. The City is not responsible for late delivery caused by the United States Postal Service or private carriers. Any proposal received after the deadline will be returned unopened.

The proposal must contain the signature of a duly authorized officer or agent of the company submitting the proposal.

B. Copies

The original proposal and four (4) copies of all proposals shall be submitted in a sealed envelope bearing the name and address of the proposer, and plainly marked "RFP No. 14-01R - Proposal for Lobbying and Intergovernmental Consultant Services".

Important Dates:

- **Submit letter or email of interest with RFP No. 14-01R in subject line by January 5, 2015 in order to ensure you have received all Addenda or clarifying information in accordance with above address or email information.**
- **Requests for information or clarification must be made in writing with RFP No. 14-01R in subject line by January 9, 2015 to Cenise Wright via email to cwright@newark.de.us or to the street address listed above.**
- **Your completed proposal (4 copies if mailed) clearly labeled RFP No. 14-01R must be received by 2 p.m. on Tuesday, January 20, 2015 to the mailing address above or cwright@newark.de.us.**